

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ANTHONY RUIZ,

Plaintiff,

- against -

THE CITY OF NEW YORK and JOHN DOE 1-3,
the names being fictitious and presently
unknown, being employees of the New York City
Police Department,

Defendants.

DECLARATION OF SERVICE

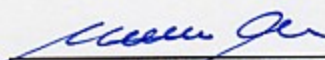
08 CV 2054 (HB) (RLE)

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STATE OF NEW YORK)
 : SS. :
COUNTY OF KINGS)

MATTHEW FLAMM, declares the following under penalty of perjury
pursuant to 28 U.S.C. §1746:

That on February 29, 2008, I served the SUMMONS AND COMPLAINT upon
defendant City of New York, at The New York City Law Department, 100 Church
Street, New York, New York, that being an address within the State theretofore
designated for that purpose, by personally delivering a copy thereto as evidenced
by the date/time stamp appearing on the annexed copy of the Summons and the
first page of the Complaint.



Matthew Flamm

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

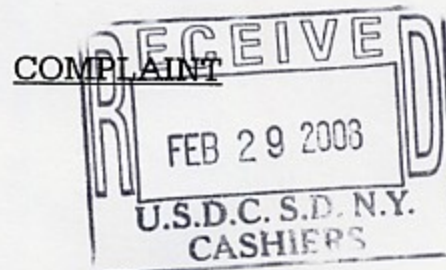
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ANTHONY RUIZ,

Plaintiff,

- against -

THE CITY OF NEW YORK and JOHN DOE
1-3, the names being fictitious and
presently unknown, being employees of
the New York City Police Department,

Defendants.
-----x



Jury Trial Demanded

Anthony Ruiz, by his attorney, Matthew Flamm, alleges the following as
his Complaint:

Nature of the Action

1. This civil rights action arises from the September 15, 2007 unlawful search, arrest, and strip-search of Anthony Ruiz. Plaintiff seeks declaratory relief pursuant to 28 U.S.C. §2201 as well as compensatory and punitive damages for violation of his civil rights under 42 U.S.C. §1983.

Jurisdiction and Venue

2. This action arises under the United States Constitution and 42 U.S.C. §1983. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §1331 and §1343(3). Plaintiff asserts jurisdiction over the City of New York under 28 U.S.C. §1367. Plaintiff requests that this Court exercise pendent jurisdiction over those state law claims arising out of the same common nucleus of operative facts as do plaintiff's federal claims.

3. Under 28 U.S.C. §1391(b) and (c), venue is proper in the Southern District of New York because defendant City of New York resides in that judicial District.

CITY OF N.Y. LAW DEPART.
OFFICE OF CORP. COUNSEL
COMMUNICATIONS SECTION
2008 FEB 29 PM 4 02